

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

EDWARD CARMONA,

Plaintiff,

v.

SOUTHWEST AIRLINES COMPANY,

Defendant.

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CIVIL ACTION NO. A-06-CA-641-SS

PLAINTIFF'S MOTIONS IN LIMINE

TO THE HONORABLE SAM SPARKS:

NOW COMES Plaintiff Edward Carmona and hereby files these Motions in Limine, and would respectfully show the Court as follows:

I.

1. Defendant not make any reference to the findings, opinions or statements of the EEOC or any other agency charged with investigating Plaintiff's discrimination complaints.

GRANTED: _____

DENIED: _____

2. Defendant not make any reference to the findings, opinions or statements during the grievance procedure held after Plaintiff was terminated. The purpose of this procedure was not to determine whether or not Plaintiff had been discriminated against and as such is irrelevant to this case.

GRANTED: _____

DENIED: _____

3. Defendant not make any reference to any alleged disciplinary history of Plaintiff not related to his attendance. Defendant only claims that Plaintiff was terminated due to attendance. As such, any other alleged discipline is irrelevant to this case.

GRANTED: _____

DENIED: _____

4. Defendant not make any reference to the filing or lack of filing of income tax returns. Defendant apparently wants to introduce into evidence a certification of no records for income tax returns. Whether or not Plaintiff filed income tax returns does not have anything to do with this case.

GRANTED: _____

DENIED: _____

5. Defendants not make any reference to any personal habits of Plaintiff such as alleged smoking or drinking. Plaintiff's personal habits are not at issue in this trial.

GRANTED: _____

DENIED: _____

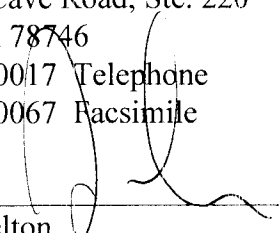
6. Defendants not make any reference to any alleged criminal history of Plaintiff without first advising the Court and Plaintiff's counsel to give opportunity for consideration of whether the nature of the alleged offense and its circumstances are admissible.

GRANTED: _____

DENIED: _____

Respectfully submitted,

MELTON & KUMLER, LLP
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Austin, TX 78746
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(512) 330-0067 Facsimile

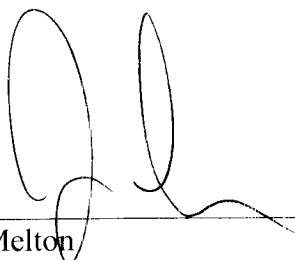


John F. Melton
State Bar No. 24013155
ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

By my signature hereunder affixed, I certify that a true and correct copy of the foregoing document has been transmitted to all parties of record **via facsimile and first class mail**, on this 29th day of September, 2008, addressed as follows:

Lacey L. Gourley
Bracewell & Giuliani, L.L.P.
111 Congress Avenue, Suite 2300
Austin, Texas 78701-4061



John F. Melton